

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:12cr101-DCB-FKB

KELLY JOHNSTONE  
THOMAS JEFFERSON JOHNSON

**FINAL ORDER OF FORFEITURE**

Before this Court is the United States of America's Motion for a Final Order of Forfeiture [Ct. Doc. No. 42]. Having reviewed the Government's motion, this Court finds that it is well taken and should be GRANTED. In support of its ORDER, the Court finds as follows:

WHEREAS, on August 28, 2012, this Court entered Agreed Preliminary Orders of Forfeiture, ordering the defendants, **KELLY JOHNSTONE and THOMAS JEFFERSON JOHNSON**, to forfeit **four hundred and twelve (412) packages of Newport cigarettes** ("the Subject Property").

WHEREAS, the United States of America caused to be published via the internet at [www.forfeiture.gov](http://www.forfeiture.gov) notice of this forfeiture and of the intent of the United States of America to dispose of the property in accordance with the law and as specified in the Preliminary Orders, and further notifying all third parties of their right to petition the Court within sixty (60) days from the first day of publication for a hearing to adjudicate the validity of their alleged legal interest in the property; and

WHEREAS, no other potential claimants are known; and

WHEREAS, no timely claim has been filed; and

WHEREAS, the Court finds that the defendants had an interest in the property that is subject to forfeiture pursuant to Title 18 U.S.C. §§ 982(a)(2)(B) and 1029(c)(1)(C);

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the **four hundred and twelve (412) packages of Newport cigarettes** is hereby forfeited to the United States of America pursuant to Title 18 U.S.C. §§ 982(a)(2)(B) and 1029(c)(1)(C).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

SO ORDERED, ADJUDGED, AND DECREED this 28<sup>th</sup> day of November, 2012.

  
UNITED STATES DISTRICT JUDGE